



**PRELIMINARY AMENDMENT**

Serial Number: 09/850,153

Filing Date: May 8, 2001

Title: STABILIZATION PROCESS FOR COMBINING ETHYL ALCOHOL AND ICE CREAM

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Dkt: 1003.001US2

**S/N 09/UNASSIGNED**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Daryl J. Orris et al.

Examiner: C. SHERRER

Serial No.: 09/850,153

**Continuation of 09/237,282**

Group Art Unit: 1761

Filed: **May 8, 2001**

Docket: 1003.001US2

Title: **STABILIZATION PROCESS FOR COMBINING ETHYL  
ALCOHOL AND ICE CREAM**

**PRELIMINARY AMENDMENT AND RESPONSE TO PERSONAL INTERVIEW  
BOX AMENDMENTS**

Assistant Commissioner for Patents

Washington, D.C. 20231

**RECEIVED**

OCT 03 2001

Dear Sir:

This Preliminary Amendment is being filed in advance of any Office Action on the merits and follows a personal interview between Mark A. Litman and Examiner C. Sherrer on 8 May 2001, in which these issues were discussed with regard to USSN 09/237,282. The Declaration of Dr. David Smith submitted in the parent application is also enclosed herewith as part of the Official record of this Application.

**IN THE CLAIMS**

Please amend the claims as follows:

- 1) (AMENDED) A stabilizing ice cream mix blend comprising dairy product solids, thermoreversible gum, natural or synthetic digestible gum, and a gum which contributes to the formation of thermoreversible gel, whereby said stabilizing ice cream mix blend, [when] has been combined prior to a freezing process with both:
  - a) an ice cream mix formulation, and
  - b) subsequently with ethyl alcohol chilled to 40°F or less, which chilling stabilizes the ethyl alcohol in a stable ice cream type product.
  
- 6) (AMENDED) A method for stabilizing an ice cream composition containing ethyl alcohol comprising adding a stabilized ice cream additive blend comprising: